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Nextel Communications, Inc. and
Sprint Communications, Inc.

THE UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

DIVERSIFIED CAPITAL INVESTMENTS,
INC., on behalf of itself and all others
similarly situated,

Plaintiff,

v.

SPRINT COMMUNICATIONS, INC.;
NEXTEL COMMUNICATIONS, INC.;
NEXTEL OF CALIFORNIA, INC.; and
DOES 1 through 100, inclusive,

Defendants.

Case No. 3:15-cv-03796-HSG

Hon. Haywood S. Gilliam, Jr.

**STIPULATION OF DISMISSAL WITH
PREJUDICE OF ENTIRE ACTION AND
~~PROPOSED~~ ORDER**

WHEREAS Plaintiff Diversified Capital Investments, Inc. (“Diversified”) and Defendants Sprint Communications, Inc., Nextel Communications, Inc., and Nextel of California, Inc. (collectively, “Defendants”) have settled their dispute in the above-captioned action,

IT IS HERBY STIPULATED, by and between Diversified and Defendants, through their respective counsel of record and pursuant to the terms of the settlement agreement these parties concluded on August 24, 2016, that Diversified’s individual claims against Defendants in the above-captioned action be and hereby are dismissed in their entirety with prejudice pursuant to Federal Rule of Civil Procedure 41(a), each party to bear its own costs and fees, and that the putative class allegations in the above-captioned action be and hereby are dismissed without prejudice.

DATED: August 24, 2016

GALLO LLP

By: /s/ Ray E. Gallo

Ray E. Gallo
Attorneys for Plaintiff Diversified Capital Investments, Inc.

DATED: August 24, 2016

MCGUIREWOODS LLP


By: /s/ A. Brooks Gresham

A. Brooks Gresham
Attorneys for Defendants Sprint Communications, Inc., Nextel Communications, Inc., and Nextel of California, Inc.

~~PROPOSED~~ ORDER

Based on the above stipulation, and good cause appearing therefor, IT IS HEREBY ORDERED that the above-captioned action is dismissed in its entirety with prejudice, each party to bear its own costs and fees, and the class allegations are dismissed without prejudice.

Dated: August 25, 2016


Hon. Haywood S. Gilliam, Jr.
United States District Judge

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ATTESTATION PURSUANT TO CIVIL LOCAL RULE 5-1

I, Ray E. Gallo, attest that concurrence in the filing of this document has been obtained from the other signatory. Executed on August 24, 2016 in San Rafael, California.

/s/ Ray E. Gallo
Ray E. Gallo

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